The action filed by Defendant and Third Party Plaintiff GREGORY L. FLACHMEIER against Third Party Defendant MICHAEL STONG is dismissed with prejudice pursuant to the Federal Rules of Civil Procedure, Rule 41(a)(1). Each party to bear his own costs. want & DATED: May 17, 2010 The Honorable Andrew J. Guilford United States District Judge 



4849-9405-4149.1